

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA**

CARLA WARNER, Representative of the  
Estate of, Successor in Interest, and Widow to  
Willie Warner, Jr., Deceased,

Plaintiff,

vs.

OLYMPUS AMERICA, INC.; OLYMPUS  
CORPORATION OF AMERICAS; OLYMPUS  
MEDICAL SYSTEMS CORP.; and CUSTOM  
ULTRASONICS, INC.

Defendants.

Case No. 3:16-CV-00488-FDW-DSC

OLYMPUS AMERICA INC. and  
OLYMPUS CORPORATION OF THE  
AMERICAS,

Third-Party Plaintiffs,

vs.

THE CHARLOTTE-MECKLENBURG  
HOSPITAL AUTHORITY d/b/a  
CAROLINAS MEDICAL CENTER, d/b/a  
CAROLINAS HEALTHCARE SYSTEM;  
CAROLINAS MEDICAL CENTER,  
A FACILITY OF THE CHARLOTTE-  
MECKLENBURG HOSPITAL  
AUTHORITY; and CAROLINAS  
HEALTHCARE SYSTEM,

Third-Party Defendants.

**CERTIFIED ORDER TO TAKE DEPOSITIONS IN JAPAN**

To: Any consul or vice consul of the United States, United States Consulate, Osaka, Japan

Upon the application of all parties, and pursuant to Article 17 of the United States–Japan  
consular convention:

It is ordered that the depositions on notice of the following witnesses be taken at the United States Consulate in Japan:

Witnesses Susumu Nishina, Hiroki Moriyama, Hisao Yabe, and/or Yoshio Tashior, employed by Olympus Medical System Corporation located at Shinjuku Monolith, 2-3-1 Nishi-Shinjuku, Shinjuku-ku, Tokyo 163-0914, Japan, taking place on or about May 17, May 18, May 19, and/or May 22, 2017, and to mark any documentary exhibits in connection therewith.

Among the participants who will participate in said depositions will be counsel for Defendant Jameson Blaxton Carroll; and counsel for plaintiffs Lexi Hazam, Wendy Fleishman, Robert Nelson, and/or Kelly McNabb.

The proceedings will be reported and videographed by Planet Depos—American Realtime Court Reporters.

The proceeding will be interpreted by N K S, PhD.

Please cause the testimony of said witnesses to be reduced to writing and the depositions signed by said witnesses and annex said deposition testimony to your commission and close the same under your seal and make return thereof to this court with all convenient speed.

IT IS THEREFORE ORDERED that the parties' Joint Motion for an Order for Taking Depositions in Japan (Doc. No. 99) is GRANTED.

IT IS SO ORDERED.

Signed: March 31, 2017

A handwritten signature in black ink, appearing to read "Frank D. Whitney", is written over a horizontal line.

Frank D. Whitney  
Chief United States District Judge

